

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEORGIA M. BROWN,

Plaintiff,

v.

Case Number 16-10618

Honorable David M. Lawson

UNITED HEALTH GROUP — OPTUM
DIVISION,

Defendant.

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ORDER DENYING PLAINTIFF’S MOTIONS FOR RECONSIDERATION

On February 19, 2016, the plaintiff filed her complaint alleging that she was subjected to unlawful race-related discrimination and retaliation. The case proceeded through discovery and the defendant filed a motion for summary judgment. On December 7, 2017, the assigned magistrate judge issued a report recommending that the Court grant the defendant’s motion and dismiss the complaint. On January 16, 2018, after receiving no objections from the plaintiff, the Court adopted the recommendation and entered a judgment of dismissal. The plaintiff filed an untimely notice of appeal on March 7, 2018, and the appeal was dismissed for want of jurisdiction in June 2018.

In December 2023, more than five years after the appeal was dismissed, the plaintiff filed a “motion for further consideration” in which she asked the Court to reopen the case and address the plaintiff’s claims that her counsel of record acted improperly by consenting to the 2018 dismissal. The Court construed the motion as one seeking relief from judgment under Federal Rule of Civil Procedure 60(b), and the motion was denied on December 20, 2023. Subsequently, the plaintiff filed a motion and amended motion for reconsideration, both of which were denied on

the ground that the plaintiff had failed to show that the Court's prior rulings were compromised by any error of fact or law.

In March 2024, the plaintiff filed a motion asking the Court to "preserve the filings in the case" and a motion for recusal of the undersigned. The Court issued orders on April 2 and April 4, 2024 denying both motions for lack of merit in the grounds presented. On April 23 and 24, 2024, the plaintiff filed new motions essentially seeking reconsideration of those recent rulings.

Under Eastern District of Michigan Local Rule 7.1, "[m]otions for reconsideration of non-final orders are disfavored . . . and may be brought only upon the following grounds: (A) The court made a mistake, correcting the mistake changes the outcome of the prior decision, and the mistake was based on the record and law before the court at the time of its prior decision; (B) An intervening change in controlling law warrants a different outcome; or (C) New facts warrant a different outcome and the new facts could not have been discovered with reasonable diligence before the prior decision." E.D. Mich. LR 7.1(h)(2). The present motions, like those previously filed, merely rehash and reiterate arguments previously addressed and rejected by the Court, and the plaintiff has not advanced any good grounds to question the Court's conclusions that she had failed to establish legal grounds either for a recusal or to reopen the litigation. In her motions for reconsideration, the plaintiff has not identified any way in which the Court erred in its rulings denying the prior motions. Moreover, as the Court previously noted, the gravamen of the plaintiff's grievances concerns the performance of her former trial counsel, and her arguments do not identify any way in which the case has been mishandled by the Court.

Accordingly, it is **ORDERED** that the plaintiff's motions, construed as motions for reconsideration (ECF No. 81, 84), are **DENIED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: April 30, 2024